

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED *for Danville*

OCT 17 2011

JULIA C. BUDLEY, CLERK
BY: *Fay Coleman*
DEPUTY CLERK

United States of America)

v.)

Tyhan Seneca Tillman)

Case No: 4:03-cr-70056-1

USM No: 10031-084

Date of Previous Judgment: 07/30/2008)

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 121 months is reduced to 120 months*.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 32

Amended Offense Level: 28

Criminal History Category: I

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Previous Guideline Range: 121 to 151 months

Amended Guideline Range: 120 to 120* months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

III. ADDITIONAL COMMENTS

* Defendant's term of imprisonment is reduced to 120 months (the statutory minimum).

Except as provided above, all provisions of the judgment dated 07/30/2008 shall remain in effect.

IT IS SO ORDERED.

Order Date: 10/14/2011

Norman K. Moon
Judge's signature

Effective Date: 11/01/2011

(if different from order date)

Norman K. Moon, United States District Judge
Printed name and title